

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 33-60, 62-68, 70, and 72-73 are currently pending in this case. Claims 1-32 and 61 were cancelled by previous amendments. In the present amendment, Claims 33, 67 and 73 are amended, and Claims 69 and 71 are cancelled without prejudice or disclaimer.

In the April 21, 2008 Official Action, Claims 33-37, 39-40, 42-43, 45-46, 48-49, 62 and 64-67 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sherer et al. (U.S. Patent No. 6,115,376, hereinafter “Sherer”). Claims 38, 41, 44, 47, 50 and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sherer in view of Mori (U.S. Patent No. 6,172,991.) Claims 51-60, 63, and 69-73 were indicated as allowable if rewritten in independent form.

Applicants acknowledge with appreciation the indication of allowable subject matter, and in response, independent Claim 33 is amended to recite all the features of allowable dependent Claim 69. Moreover, independent Claim 67 is amended to recite all the features of allowable dependent Claim 71. Consequently, Claims 69 and 71 are cancelled without prejudice or disclaimer, and Claim 73 is amended to change the claim dependency from Claim 71 to independent Claim 67. No new matter has been added. In light of these changes, the application is now in condition for allowance.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. § 1.116, which after a Final Rejection permits entry of amendments canceling rejected claims or complying with requirements of form set forth in the final Office Action. As the present amendment merely cancels rejected Claims 69 and 71, and amends independent Claims 33 and 67 to recite features of allowable Claims 69 and 71, respectively and amends Claim 73

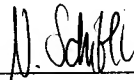
for an issue of claim dependency, it is respectfully requested that the present amendment be entered.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application. A Notice of Allowance for Claims 33-60, 62-68, 70, and 72-73 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)

Nikolaus P. Schibli, Ph.D.
Registered Patent Agent
Registration No. 56,994